

FORM PTO-1390  
(REV 2-2005)  
OMB-0651-0021

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.  
11016-0037

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

DATE: April 25, 2005

U.S. APPL. NO.  
10/532737  
Filed Nov. 5, 2003 (37 C.F.R. 1.5)  
Not yet assigned

INTERNATIONAL APPLICATION NO.  
PCT/EP2003/013336

INTERNATIONAL FILING DATE  
October 24, 2003

PRIORITY DATE CLAIMED  
October 25, 2002

TITLE OF INVENTION: **TUNEABLE PHASE SHFTER AND/OR ATTENUATOR**

APPLICANT(S) FOR DO/EO/US: **Dario Calogero CASTIGLIONE, Luisa DEIAS, Inigo EDERRA-URZAINQUI, David Brian HASKETT, Derek JENKINS, Alexandre Vincent Samuel Bernard LAISNE, Alec John McCALDEN, James Peter O'NEILL, Jorge TENIENTE-VALLINAS, Frank VAN DE WATER, Alfred A. ZINN, Peter DE MAAGT, and Chris MANN**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371. (THE BASIC FILING FEE IS ATTACHED)
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]. (13 documents)
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 - 20 below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter. (13 documents)
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **CHANGE OF CORRESPONDENCE ADDRESS**

1020 Rec'd PCT/PTO 2 5 APR 2005

U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.53) <b>10/532737</b> <small>Not yet assigned</small>		INTERNATIONAL APPLICATION NO. PCT/EP2003/013336		ATTORNEY DOCKET NO. 11016-0037 DATE: April 25, 2005	
---	--	--	--	--	--

<input checked="" type="checkbox"/> The following fees are submitted:				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
<input checked="" type="checkbox"/> 21.) Basic National Fee ..... <b>\$300</b>				\$ 300	
<input checked="" type="checkbox"/> 22.) Examination Fee - If International Preliminary Examination Report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$100</b> All other situations ..... <b>\$200</b>				\$ 200	
<input checked="" type="checkbox"/> 23.) Search Fee - If Search Fee (37 CFR 1.445(a)(2) has been paid in the International Application to the USPTO as an International Searching Authority ..... <b>\$100</b> International Search Report prepared and provided to the Office. <b>\$400</b> All other situations ..... <b>\$500</b>				\$ 400	
<b>TOTAL OF 21, 22 and 23 =</b>				\$ 900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is <b>\$250</b> for each additional 50 sheets of paper or fraction thereof.				\$ 0	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
31-100	/50=		x <b>\$250</b>	\$ 0	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 C.F.R. 1.492(h)].				\$ 0	
Claims	Number Filed	Number Extra	Rate		
Total Claims	14 - 20 =	0	X \$50.00	\$ 0	
Independent Claims	2 - 3 =	0	X \$200.00	\$ 0	
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$ 0	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 900	
Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½				\$ 0	
<b>SUBTOTAL =</b>				\$ 900	
Processing fee of \$130.00 for furnishing the English translation later the 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)].				\$ 0	
<b>TOTAL NATIONAL FEE =</b>				\$ 900	
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property				\$ 0	
<b>TOTAL FEES ENCLOSED =</b>				\$ 900	
				Amount to be refunded	\$
				Charged	\$

a. ☒ A check in the amount of **\$900.00** to cover the above fees is enclosed.

b. ☐ Please charge Counsel's Deposit Account No. 50-1088 in the amount of \$\_\_\_\_\_ to cover the above fee. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Counsel's Deposit Account No. 50-1088.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

**CLARK & BRODY**  
 1090 Vermont Avenue, N.W.  
 Suite 250  
 Washington, D.C. 20005  
 Telephone: 202-835-1111  
 Fax: 202-835-1755

Customer Number: 22902

Christopher W. Brody  
 Registration No. 33,613  
 Date: April 25, 2005

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## CHANGE OF CORRESPONDENCE ADDRESS Application

Address to:  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450.

Application Number	not yet assigned
Filing Date	04/25/2005
First Named Inventor	Dario Calogero Castiglione
Art Unit	not yet assigned
Examiner Name	not yet assigned
Attorney Docket Number	11016-0037

Please change the Correspondence Address for the above-identified patent application to:

☒ Customer Number :

OR

☐ Firm or Individual Name

Address

Address

City  State  Zip

Country

Telephone  Fax

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

☐ Applicant/Inventor

☐ Assignee of record of the entire interest.  
 Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ Attorney or Agent of record. Registration Number 33,613

☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number \_\_\_\_\_

Typed or Printed Name

Signature 

Date

Telephone

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.